

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

Vs.

No. CR 24-539 DHU

LABAR TSETHLIKAI,

Defendant.

**ORDER GRANTING CONTINUANCE OF TRIAL
AND PRETRIAL DEADLINES**

THIS MATTER is before the Court on Defendant's Unopposed Motion to Continue Trial and Extend Time to File Pretrial Motions [73]. The Court having considered the motion, being fully advised in the premises and in light of *United States v. Toombs*, 574 F.3d 1262 (2009), finds that the Defendant has by his motion, created a sufficient record to justify granting the motion to continue. *See id.* at 1271 (requiring that the record on a motion to continue contain an explanation of why the mere occurrence of the event identified by the parties as necessitating the continuance results in the need for additional time).

IT IS THEREFORE ORDERED that Defendant's Unopposed Motion to Continue Trial and Extend Time to File Pretrial Motions [73] is **GRANTED**.

IT IS FURTHER ORDERED that the Call of Calendar hearing of April 24, 2025 and the Jury Selection/Trial of May 5, 2025 are VACATED. Call of Calendar, Jury Selection/Trial and corresponding deadlines are reset as follows:


Event	Date/Deadline
Jury Selection/Jury Trial (trailing docket) at 9:00 a.m.	September 8, 2025
Calendar Call	Thursday, August 28, 2025 at 10:00 a.m.
Motions in Limine	Friday, August 08, 2025
Response to Motions in Limine	Friday, August 15, 2025
Motions to Continue	Friday, August 22, 2025
Voir Dire, Witness and Exhibit Lists	Friday, August 08, 2025
Joint Jury Instructions, Objections to Voir Dire, Witness and Exhibit Lists	Friday, August 15, 2025
Rule 404(b), or 609(b) Evidence	Friday, August 01, 2025
Expert Disclosures	Friday, August 01, 2025
Objections to Expert Disclosures/Daubert Challenge(s)	Friday, August 08, 2025

Before Judge David Herrera Urias at the United States Courthouse, 333 Lomas Blvd., N.W., Mimbres Courtroom, 4th Floor in Albuquerque, New Mexico.

IT IS FURTHER ORDERED that the pretrial motion deadline is hereby extended until **Friday, July 04, 2025**. The pretrial motion deadline applies to all motions, including Daubert Motions. Motions in Limine have a separate deadline.

IT IS FURTHER ORDERED that pursuant to 18 U.S.C. §3161(h)(7)(A), the Court finds that the ends of justice served by granting the unopposed motion for continuance outweigh the best interest of the public and the defendant in a speedy trial. Therefore, all the time from the filing of the motion until the beginning of jury selection in this matter shall be excluded for the purpose of the Speedy Trial Act.

IT IS FINALLY ORDERED that counsel shall adhere to the Court's instructions and case management deadlines as set forth in the following attachment, "Pretrial Deadlines before The Honorable David Herrera Urias."



UNITED STATES DISTRICT JUDGE